IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 14TH MARCH 2007 / 23RD PHALGUNA 1928

WP(C).No. 35116 of 2004(E)

PETITIONER:

RAVEENDRAN PILLAI,
USHA NIVAS, MAVELIKKARA.

BY ADV. SRI.KRISHNA RAJ
SRI.A.SHANAVAS KHAN
SRI.P.R.HARIKUMAR

RESPONDENTS:
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1. **THE GENERAL MANAGER,**
   THE ALAPPUZHA DISTRICT CO-OPERATIVE BANK,
   ALAPPUZHA.

2. **JOINT REGISTRAR(GENERAL),**
   CO-OPERATIVE SOCIETIES, ALAPPUZHA.

3. **THE REGISTRAR OF CO-OPERATIVE**
   SOCIETIES, THIRUVANANTHAPURAM.

BY ADV. SRI.V.G.ARUN
BY GOVERNMENT PLEADER SMT.K.R.DEEPA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 14/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) NO.35116/2004

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE MEMO ISSUED BY THE 1ST RESPONDENT DT.11.6.99.

EXT.P2:- COPY OF THE REPLY FILED BY THE PETITIONER DT.14.6.99.

EXT.P3:- COPY OF THE LETTER ISSUED BY THE 1ST RESPONDENT DT.21.10.99.

EXT.P4:- COPY OF THE LETTER ISSUED BY THE 2ND RESPONDENT DT.17.11.99.

EXT.P5:- COPY OF THE MEDICAL CERTIFICATE DT.26.1.2000.

EXT.P6:- COPY OF THE MEDICAL CERTIFICATE DT.16.11.99.

EXT.P7:- COPY OF THE MEMO ISSUED BY THE 1ST RESPONDENT DT.29.11.99.

EXT.P8:- COPY OF THE REPLY FILED BY THE PETITIONER 13.12.99.

EXT.P9:- COPY OF THE NOTICE DT.10.12.99.

EXT.P10:- COPY OF THE PETITION FILED BY THE PETITIONER 14.1.2000.

EXT.P11:- COPY OF THE PETITION FILED BY THE PETITIONER.

EXT.P12:- COPY OF THE PETITION FILED BY THE PETITIONER DT.27.3.2000.

EXT.P13:- COPY OF THE PETITION FILED BY THE PETITIONER DT.1.6.2000.

EXT.14:- COPY OF THE SHOW CAUSE NOTICE DT.8.7.2000.

EXT.P15:- COPY OF THE REPLY DT.21.7.2000.

EXT.P16:- COPY OF THE SHOW CAUSE NOTICE DT.29.7.2000.

EXT.P17:- COPY OF THE PETITION FILED BY THE PETITIONER DT.2.9.2000.

EXT.P18:- COPY OF THE PETITION DT.26.3.01.

EXT.P19:- COPY OF THE PETITION DT.21.6.01.

/TRUE COPY/

tss

KURIAN JOSEPH, J.

W.P(C)No.35116 of 2004

Dated this the 14th day of March, 2007

JUDGMENT

The writ petition is filed with the following prayer:-

> a. direct the respondents to permit the petitioner to rejoin duty as part time sweeper in Mavelikara Branch of Alappuzha District Co-operative Bank by the issue of a writ of mandamus or such other writ or order or direction.

In the counter affidavit filed on behalf of the Bank it is submitted that the petitioner had tendered resignation as early as on 7-11-2000. Copy of the letter, though marked as Ext.R1(a), is not produced in the writ petition. The same is made available by the learned counsel for the first respondent. The same will be marked as Annexure 'X'. In view of the stand taken in the counter affidavit by the Bank, in case the petitioner has still any dispute on this aspect his remedy is to pursue the matter either before the second respondent or before the Co-operative Arbitration Court. Without prejudice to such liberty this writ petition is dismissed. It is made

clear that in the event of the petitioner pursuing any remedy as above within a period of two months from today, the same shall not be rejected on the only ground of delay.

(KURIAN JOSEPH, JUDGE)

ahg.